

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-2404**

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SHERRY A. BULLOCK,

Plaintiff - Appellant,

v.

KRAFT FOODS, INC.,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, District Judge. (3:11-cv-00036-HEH-MHL)

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Submitted: November 20, 2012

Decided: December 27, 2012

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Before KING, DIAZ, and THACKER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Michael D.J. Eisenberg, LAW OFFICE OF MICHAEL D.J. EISENBERG, Washington, D.C., for Appellant. John B. Flood, OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C., Washington, D.C., for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sherry A. Bullock appeals the district court's order granting Defendant's motion for summary judgment in her suit alleging violations of the Family Medical Leave Act ("FMLA") and under Title VII of the Civil Rights Act of 1964. We have reviewed the record and find no reversible error. Accordingly, we affirm substantially for the reasons stated by the district court.\* Bullock v. Kraft Foods, Inc., No. 3:11-cv-00036-HEH-MHL (E.D. Va. Nov. 22, 2011). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

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\* In addition, we note that Bullock's claim that she was not sufficiently paid for dates incorrectly scheduled outside of her medical restrictions in September 2007 was waived by failure to argue it to the district court. See Aziz v. Alcolac, Inc., 658 F.3d 388, 394 n.6 (4th Cir. 2011) ("In the normal course, we do not consider issues raised for the first time on appeal . . . ."). Further, Bullock's claim of improper retroactive designation of FMLA leave fails for lack of prejudice. See Ragsdale v. Wolverine World Wide, Inc., 535 U.S. 81, 89 (2002).